



TAB

TECHNICAL ASSISTANCE TO BROWNFIELDS

What is a Brownfield? *and* Steps for Successful Redevelopment

Blase Leven

Technical Assistance to Brownfields (TAB) Program

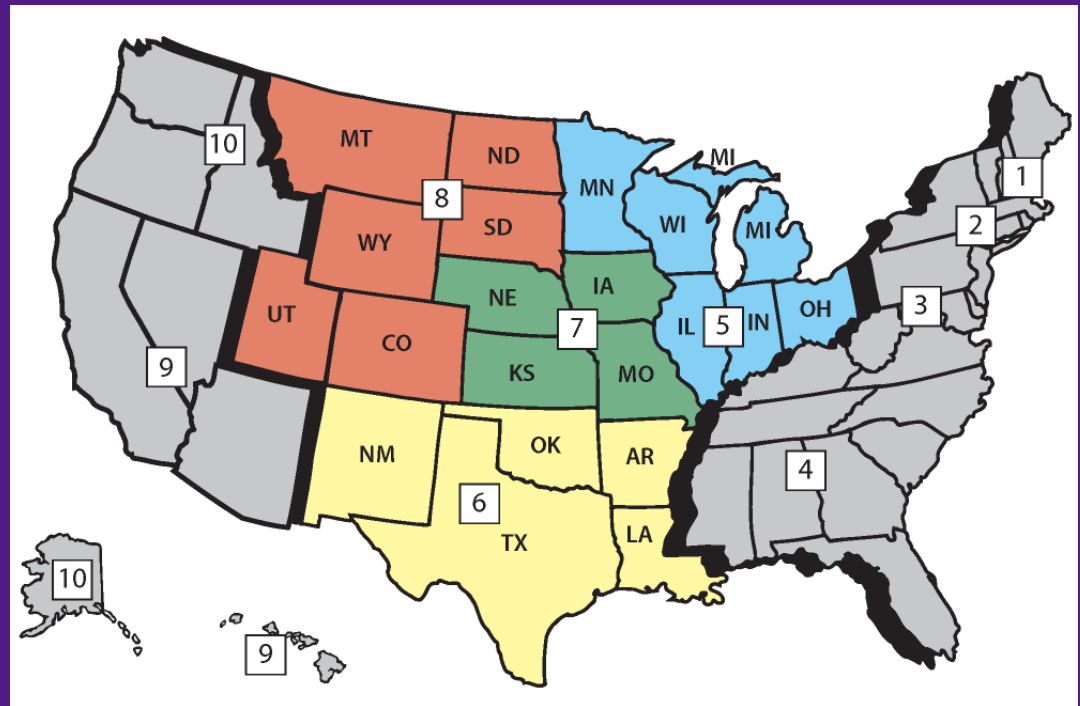
Kansas State University

August, 2014

KANSAS STATE
UNIVERSITY.

Technical Assistance to Brownfield (TAB) Program

- Assistance with brownfields redevelopment
- **Free** to local governments and Tribes
- Funded by EPA
- K-State assists in EPA Regions 5, 6, 7 and 8



What is a Brownfield?

“...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or **potential** presence of a hazardous substance, pollutant, or contaminant.”*

Practical implication: Brownfields are everywhere!

*(Public Law 107-118 (H.R. 2869) - “Small Business Liability Relief and Brownfields Revitalization Act”, signed into law January 11, 2002).

“Brownfields”

- Properties with possible environmental issues that are limiting use of the site



- Eligible for Liability protections and Funding
- Can start the Revitalization Process
- Local Government plays a Leading Role

Brownfield



Brownfield?



Former Drive-In

Brownfield?



Abandoned School Building





Typical Brownfield



Abandoned Service Station

Brownfield?



Vacant Lot

Often it is the **PERCEPTION** of contamination that keeps properties from being redeveloped, not the actual presence of contamination.

Once the “stigma” is gone, properties can be returned to productive use.



Brownfields Law & Incentives

- Help address the environmental issues for property transactions & expansions
 - Liability protection from past contamination
 - For prospective purchaser, contiguous landowners, and others
 - Perform Phase I environmental assessment before purchase and cooperate in addressing environmental issues
 - Funding for
 - Assessment
 - Cleanup
 - Redevelopment (primarily non-EPA sources)
 - For eligible sites and entities

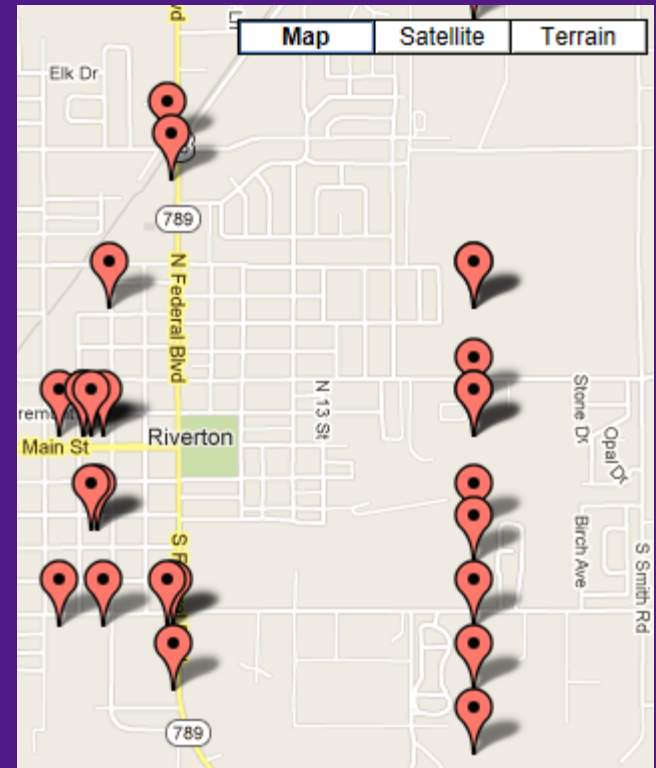
Brownfields Redevelopment Process

1. **Identify** Brownfields & Tie to **Redevelopment Goals**
2. **Investigate** – Phase I/II site assessments
(environmental due diligence)
3. **Clean-up**, if necessary
4. **Redevelop**

1a. Identify Brownfields

- Make a list, or inventory of potential sites

- Use Brownfields Inventory Tool (tab-bit.org), excel, etc.
- Are environmental unknowns a barrier to redevelopment?
- No ongoing state or federal environmental actions?

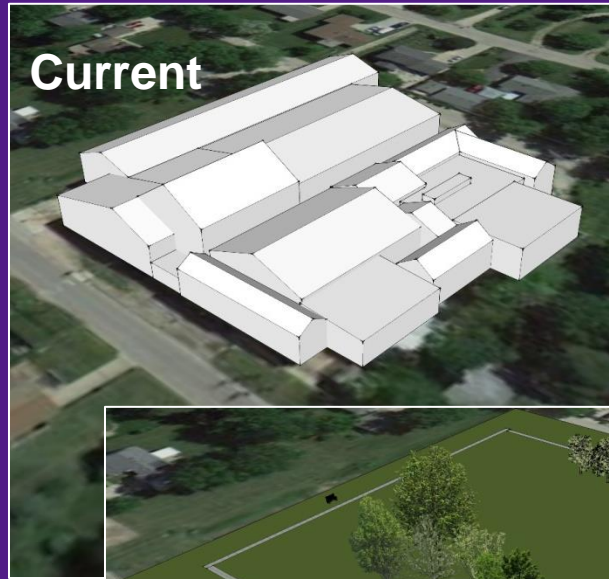


- How can these sites meet your redevelopment goals?

1b. Set Redevelopment Goals

- Vision for Site, Area, and Region, as Appropriate
 - Involve all stakeholders
 - What are the economic, community, and environmental needs & opportunities to DRIVE redevelopment
- Set Goals and Make Plans to Achieve Them
 - Conceptual scenarios and diagrams, initially
 - Begin identifying partners and funding sources
 - Adequacy of area plans, zoning, & codes?
- Adjust and Revise Plans as Needed
 - Ongoing Community Engagement and Input

Redevelopment Planning Assistance



Current

**Redevelopment
Options – based
on Community
Input**



**Full Demo for Greenspace or New
Residential**



**Partial Demo for Community/
Business or Multi-family
Housing**

2. Investigate

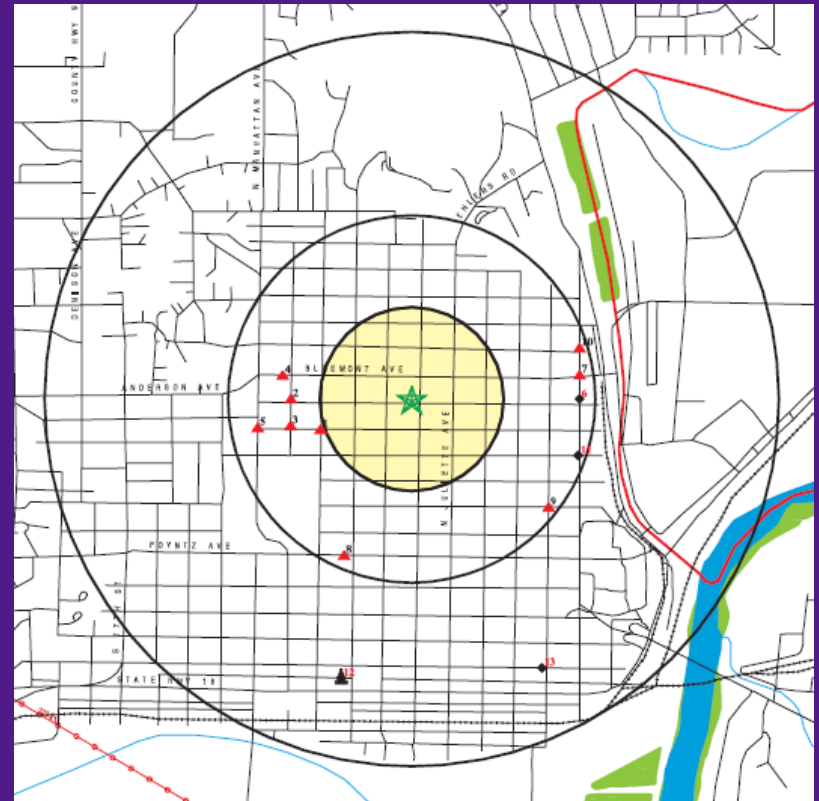
- Perform Phase I/II Environmental Site Assessments (ESAs)
 - to identify environmental risks before purchase
 - evaluate whether environmental risks are worth accepting / correcting in a case where contamination is discovered
 - avoid responsibility for cleanup under CERCLA as an “innocent landowner”

Environmental Due Diligence

- Properly conducted Phase I ESA satisfies EPA's All Appropriate Inquiry Rule
 - For prospective purchaser, contiguous landowners, and other liability protections & funding
 - Almost always required in private sector before commercial property purchase, and most major improvements and expansions
- Performed by Qualified Environmental Professional
- American Society for Testing and Materials (ASTM) Standards
 - Phase I Environmental Assessment (ASTM 1527-13)
 - Phase II ESA (E1903-11)

Phase I ESA

- Identifies potential or known *recognized environmental conditions*
- Involves:
 - Records review
 - Site reconnaissance
 - Interviews
 - Report



Phase II ESA

- Evaluates known or potential conditions
- Tailored to site-specific situation
 - Limited sampling and laboratory analysis to confirm or rule out concerns
 - Extensive sampling and analysis to define nature and extent of contamination
 - Recommendations regarding cleanup

Environmental Sampling



3. Brownfields Cleanup

- Low to moderate levels of contamination
- Risk-based cleanups to standards for future use and/or resource protection
 - Industrial
 - Commercial
 - Residential
 - Soil and Soil to Groundwater
 - Surface Water
 - Groundwater
- Prevent exposure to contaminants
 - Treatment, removal, containment
 - Land use controls (if residual contaminants remain)

4. Redevelopment

- Gather resources and partners needed to redevelop
- According to:
 - Master plans and community input
 - To address various needs and opportunities

- Economy
- Community
- Environment

- Such as:

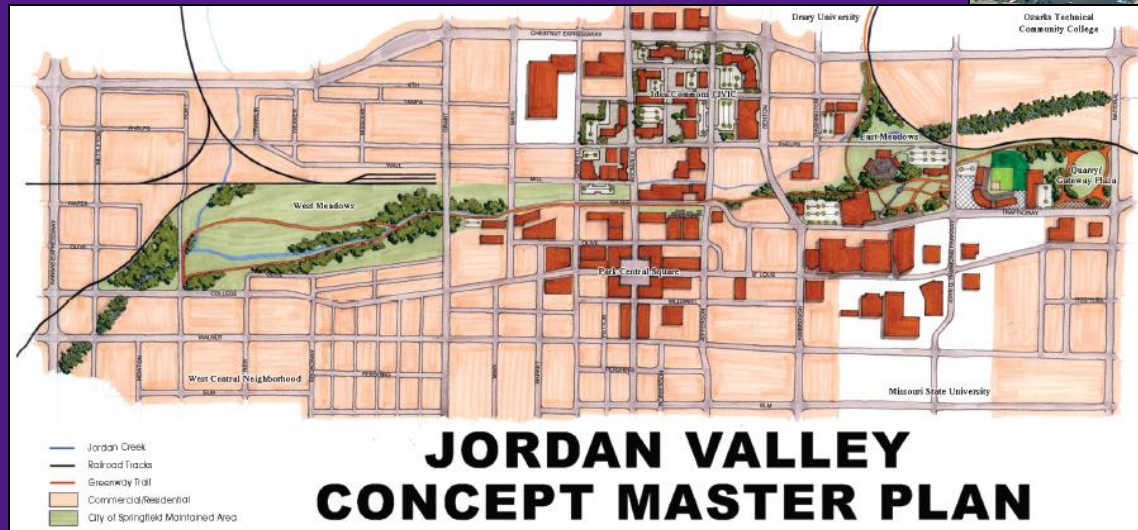
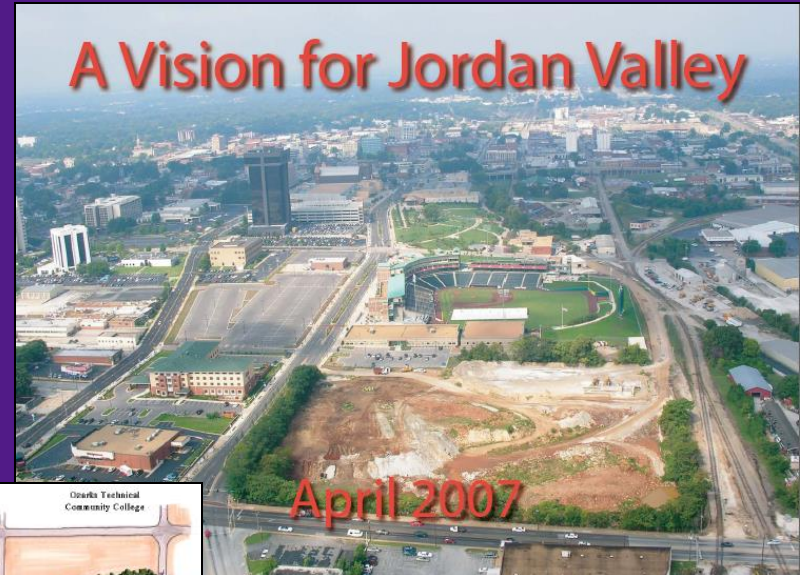
- ✓ Jobs and services
- ✓ Transportation options
- ✓ Housing, schools, parks
- ✓ Other

- Smart growth & livability principles for sustainable communities

http://www.epa.gov/smartgrowth/basic_info.htm

Importance of Redevelopment Planning Process

- Vision development
- Stakeholder coordination
- Eligibility for incentives
- Long-term Implementation

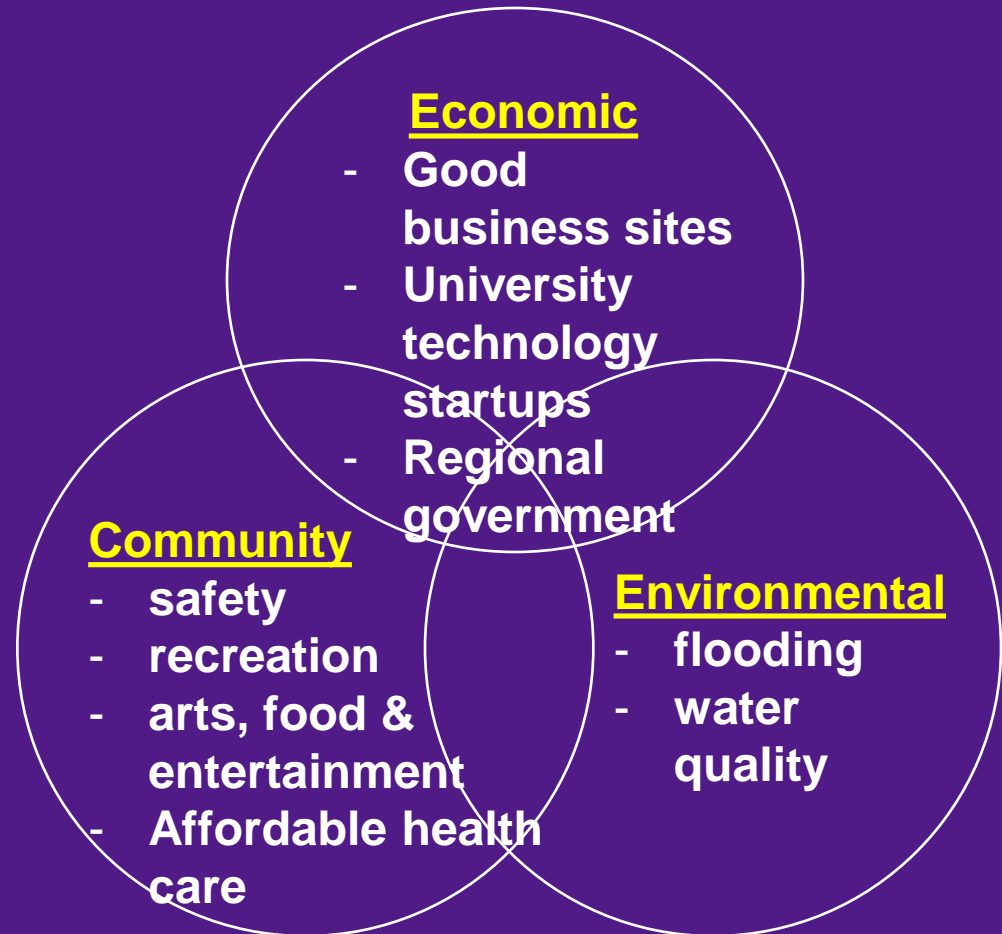


City of Springfield, MO

Sustainable Redevelopment

City of Springfield, MO (continued)

- Meets regional & local needs over long periods of time
- Creates attractive places to live & work
- Increases property values & revenues
- Lowers infrastructure costs & lower tax burden



Importance of Community Involvement

- Fact Sheets & News Releases
- Public Meetings
- Workshops/Seminars
- Community Day/Fairs
- Bus Tours
- Walking Tours
- Creates supporters



Source: City of Springfield, MO

So How Does All this Get Done?

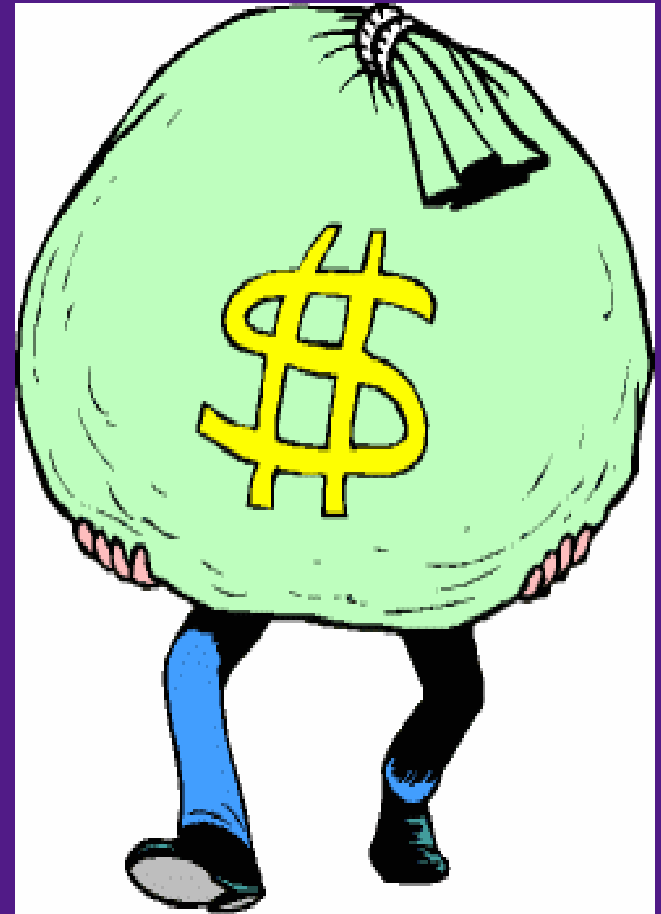


Communities Redevelop Brownfields as a Group!

- Local governments & tribes request brownfields resources on behalf of other stakeholders
 - Few private sector entities are eligible
- Local governments and other stakeholders:
 - **Supportive Role**: planning, fee waivers, expedited permit review, infrastructure development, grant applicant/recipient
 - **Very Active Role**: provide access to properties and easements, provide funding, interim title holder, site promotion/marketing, catalytic site developer, etc.

Local, State, and Federal Resources

- Phase I / II Site Assessments
 - Free TBAs (Targeted Brownfields Assessments) by State and US EPA
 - EPA Assessment Grants
- Cleanup, if necessary
 - State Trust and Revolving Loan Funds, EPA Cleanup Grants
- Redevelopment (Construction, etc.)
 - EDA, USDA, DOT, HUD, State Dep't of Commerce, etc.
- Free Technical Assistance
 - TAB, State, Other Programs



TAB Assistance to Communities

Guide Local and Tribal governments through the brownfields process, by helping with:

1. Identifying Sites & Redevelopment Planning

- Identifying and inventorying brownfields
- Strategic planning, visioning and economic analysis
- Tips and application reviews for EPA and/or other funds/resources

2. & 3. Investigate and Cleanup

- Finding contractors for environmental assessments (at least PHI) before ownership and cleanup (if needed)
- Reviewing and explaining technical plans and reports to the community

4. Redevelop

- Finding other funding and partners
- Other services, as needed and agreed upon

TAB Contact

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TAB

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KANSAS STATE
U N I V E R S I T Y

Web site: <http://www.ksutab.org>